



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bertho and Al

Serial N°: 10/008791

Filed: 01/02/2001

Title: PROCESS FOR PREPARING A SOLIBILIZATION ADJUVANT FROM FUSEL OIL AND OSES

Examiner: Travis C McIntosh

Art Unit: 1623

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DECLARATION OF YVON LE HENAFF

I, Yvon Le Hénaff, hereby declare as follows:

I know the above-identified "791 application, and I am General Director of ARD (Agro Industrie Recherches et Développements), the assignee of the 791 application.

I am presently, and I have been for the past twenty seven years, Agricultural and Food Industries Ingenior.

I have studied the Office action dated January 14, 2003 in the "529 application, and I am familiar with cited U.S. Patent 4,939,245 Rasche and U.S. Patent 6,087,403 to Bertho.

I have carried out the following tests.

A mixture of 600 g of Fusel oil (composed of water (10 %), ethanol (6 %), 2-propanol (0,2 %), 1-propanol (2,1 %), 2-methylpropanol (9,3 %), 1-butanol (0,3 %), 3-methylbutanol (45 %), 2-methylbutanol (20,3 %) and unidentified components (6,8 %)) and 170 g of D-xylose was formed at room temperature. The pressure on the mixture was reduced to 50 mbar and the temperature raised to 107°C during 1,5 hours. Distillation occurred and 50 g of alcohols blend is collected. 3,4 g of sulphuric acid is added to the mixture. The mixture became a dark heterogeneous syrup phase in 15 minutes. Separation of glycoside was impossible.

I further declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true ; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name LE HENAFF

Function Director General

Date 06/03/03



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Triton X-45 = Octoxynol-5,
Triton X-114 = Octoxynol-8,
Triton X100 = Octoxynol-9
Triton X102 = Octoxynol 13
Tergitol 15-S-9 = C11 - 15 Pareth-9
Neodol 45-9 = C14 - 15 Pareth-9
Neodol 23-65 = C12 - 13 Pareth-7
Neodol 45-7 = C14 - 15 Pareth-7
Neodol 45-4 = C14 - 15 Pareth-4
Germaben = Diazolidinyl urea
Phenonip = ethylparaben